

UNITED STATES DISTRICT COURT  
for the  
Southern District of Texas

United States Courts Southern  
District of Texas  
FILED

**March 12, 2021**

United States of America  
v.

Rogelio GUERRA  
YOB: 1985  
COB: United States

Nathan Ochsner, Clerk of Court  
Case No. **M-21-0539-M**

*Defendant(s)*

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 03/12/2021 in the county of Hidalgo in the  
Southern District of Texas, the defendant(s) violated:

*Code Section*

*Offense Description*

21 USC § 841

Possession with intent to distribute or dispense, a controlled substance, to wit: approximately 37.34 kilograms of Methamphetamine, a Schedule II controlled substance.

21 USC § 952

Importation of a controlled substance, to wit: approximately 37.34 kilograms of Methamphetamine, a Schedule II controlled substance.

This criminal complaint is based on these facts:

See Attachment "A"

☒ Continued on the attached sheet.

*Complaint approved by AUSA A. Greenbaum*

Submitted by reliable electronic means, sworn to  
and attested to telephonically per Fed. R. Cr.4.1,  
and probable cause found on:

/S/ Cordero B. Contreras

*Complainant's signature*

Cordero B. Contreras, HSI Special Agent

*Printed name and title*

Date: 3/12/21 @ 8:49 p.m.

City and state: McAllen, Texas

  
*Judge's signature*

U.S. Magistrate Judge ~~N. Medrano~~ J. Alanis

*Printed name and title*

ATTACHMENT A

I am a Special Agent (SA) of the United States Homeland Security Investigations (HSI), and have knowledge of the following facts:

On March 12, 2021, Rogelio GUERRA (GUERRA) entered the United States through the Hidalgo, Texas Port of Entry (POE) operating a Chrysler Pacifica (Texas License Plate NZX3327).

At the Hidalgo POE, GUERRA gave negative declarations for narcotics, weapons, ammunition, and monetary instruments in excess of \$10,000 to Customs and Border Protection (CBP) officers. GUERRA stated he was traveling from Mexico to Tyler, Texas.

GUERRA and the vehicle were referred for a secondary inspection. During secondary inspection, a Narcotics Detection Dog (NDD) alerted to the presence of narcotics in the vehicle. CBP officers inspected the undercharge of the vehicle which revealed tampering of the gas tank. CBP officers utilized a Z-Portal scan, which revealed anomalies within the gas tank. Further inspection of the gas tank resulted in the discovery of a white crystallized substance within the inside of the gas tank.

The white crystallized substance field tested positive for the properties of methamphetamine, a controlled substance. The methamphetamine weight totaled approximately 37.34 kilograms.

Homeland Security Investigation (HSI) Special Agents (SA) advised GUERRA of his Miranda warnings in the English language. GUERRA stated he understood and waived in writing.

Post Miranda, GUERRA stated that he lived in Tyler, Texas. GUERRA stated that his reason for his travel from Mexico was due to him visiting his sick uncle who lives in San Luis, Mexico. Luis stated that he crossed into Mexico approximately two (2) to three (3) days ago. GUERRA stated that he was the owner of the vehicle and that no other person had access or possession of his vehicle the whole time he was in Mexico. GUERRA stated that he slept in his vehicle the time he was in Mexico.

HSI SAs utilizing law enforcement databases verified that on March 06, 2021, a Chrysler Pacifica (Texas License Plate NZX3327) crossed into Mexico from the United States. This is the same vehicle that GUERRA was operating when he entered the United States on March 12, 2021, contradicting his statement that he crossed into Mexico approximately two (2) to three (3) days ago.